

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**TERRY MIDDLETON,** :  
**Plaintiff** :  
                          :  
                          :  
**v.** :  
                          :  
                          :  
**UNITED STATES OF AMERICA** :  
**Federal Bureau of Prisons** :  
**Defendant** :

**ORDER**

**AND NOW**, on this 27th day of March 2018, upon consideration of Plaintiff's motion to compel discovery (Doc. No. 116), motion to strike video tape under seal (Doc. No. 120), briefs in support and opposition to the same, and in accordance with the accompanying Memorandum,

**IT IS ORDERED THAT:**

1. Plaintiff's motion to compel discovery (Doc. No. 116) is **GRANTED in part and DENIED in part** as follows. Within fifteen (15) days of the date hereof, Defendant shall answer interrogatory numbers five, seven, eight, and nine, and respond to Plaintiff's request for admissions numbers two and three. Plaintiff's motion to compel Defendant to answer request for admission number nine is **DENIED**;
2. Plaintiff's motion to strike video tape under seal (Doc. No. 120) is **DENIED**; and
3. Defendant's motion to dismiss or, in the alternative, motion for summary judgment (Doc. No. 113), and Plaintiff's motion for judgment on the pleadings (Doc. No. 131), and motion for argument (Doc. No. 135), are **DENIED without prejudice**. The parties may file renewed dispositive motions within thirty (30) days from the date of this Order.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania